

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

FRANCISCO MERCADO HERNANDEZ

Case No. 10-05197-BKT

RUTH DALIA ALVAREZ MARTINEZ

Chapter 13

Attorney Name: JUAN O CALDERON LITHGOW*

I. Appearances

Debtor ☒ Present ☐ Absent
Joint Debtor ☒ Present ☐ Absent
Attorney for Debtor ☒ Present ☐ Absent
☐ Pro-se
☐ Substitute _____

Date: July 21, 2010

Time: 10:11 AM Track: 009
☐ This is debtor(s) 1 Bankruptcy filing.

Liquidation Value: \$28,000.00

Creditors Plu- 33,480-
n. melcha - First Bank.

II. Oath Administered

☒ Yes ☐ No

III. Documents Filed/Provided

☒ Schedules
☒ Statement of Financial Affairs (SOFA)
☒ Statement of Current Monthly Income (SCMI)
☒ Credit counseling briefing certificate (CCC)
☐ Waiver requested by debtor(s)
☒ DSO Certificate
☐ DSO Recipient's information
☒ State Tax Returns 06-09 ☒ Returned
☒ Federal Tax Returns _____ ☐ Returned
☒ Evidence of income (60 days prior to petition)

IV. Status of Meeting ☒ Closed ☐ Not Held ☐ Continued _____ at _____

V. Trustee's Report on Confirmation

☐ FAVORABLE
☒ UNFAVORABLE

☐ Feasibility
☐ Insufficiently funded
☐ Unfair discrimination
☒ Fails liquidation value test
☒ Fails disposable income test (I & J)
☐ No provision for secured creditor(s)
☐ No DSO certificate (Post-petition)
☐ Evidence of income
☐ Missing ☐ Incomplete
☐ Stmt. of Current Monthly Income
☐ Incomplete ☐ Missing
☐ Fails commitment period ☐ Fails Disp. Income
☐ Certificate of Credit briefing
☐ Missing ☐ More than 180 days
☐ Issuer not certified by U.S.T.
☐ Treat value of collateral separately
☐ No provision for insurance
☐ Tax returns missing
☐ State - years _____
☐ Federal - years _____
☐ Incomplete schedules
☐ Incomplete S.O.F.A.
☐ Other: _____

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VI. Plan

(Cont.)

Date: June, 14, 2010 Base \$ 30,540.00 ☒ Filed Evidence of Pmt shown: _____
Payments 1 made out of 1 due. ☐ Not Filed

VII. Confirmation Hearing Date: August, 20, 2010

VIII. Attorney's fees as per R. 2016(b)

\$3,000.00 - \$ 426.00 = \$ 2,574.00

IX. Documents to be provided w/in ____ days

☐ Amended schedules _____

☐ Amended S.O.F.A. _____

☐ Insurance estimate _____

☐ Amended plan _____

☐ Assumption/Rejection executory contract _____

☐ Business Documents _____

☐ Monthly reports for the months _____

☐ Appraisal _____

☐ State tax returns years _____

☐ Public Liability Insurance _____

☐ Federal tax returns years _____

☐ Premises _____

☐ Correct SS # (Form B21)

☐ Vehicle(s) _____

☐ Debtor ☐ Joint debtor

☐ Licenses issued by: _____

☐ Other: _____

☐ M.T.D. to be filed by Trustee: Debtor(s): ☐ failed to appear; ☐ failed to commence payments;

☐ failed to keep payments current; ☐ does (do) not qualify as a debtor (§109); _____

☐ Other: _____

COMMENTS

Not service members. ① Schedule J shows a mortgage payment of \$283.00. Debtors testify their home is debt free. ② Debtor has 2 veh accounts with FirstBank. One is for a 2007 HHR that he "sold" to a friend. Debtor kept the payment book and receives the monthly installment from the friend. This not disclosed in the Schedules ③ Both have life insurance paying \$250 @ month

Alejandro Oliveras Rivera
Trustee/Presiding Officer

we ask endorsement of
50%.

Date: July 21, 2010

(Rev.